

**REGULAR MEETING
of the
CITY OF RIALTO
CITY COUNCIL/REDEVELOPMENT AGENCY
RIALTO HOUSING AUTHORITY**

March 4, 2008

A regular meeting of the City Council/Redevelopment Agency of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, March 4, 2008.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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CALL TO ORDER

Mayor Pro Tem Hanson called the meeting to order at 4:03 p.m.

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The roll was called and the following were present: Mayor Vargas, Mayor Pro Tem Hanson and Council Members Robertson, Baca Jr. and Scott. Also present were City Administrator Garcia, Interim City Attorney Rahsaan Tilford and City Clerk McGee.

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WORK SESSION
**Architectural Treatments for
Riverside/1-10 Bridge Project**

Ahmad Ansari, Public Works Director/City Engineer indicated the purpose of the workshop is to show the possible Architectural Treatments of the Riverside/1-10 Bridge. These treatments include Abutment Walls, Bridge Fencing, On and Off Ramp Retaining Walls and Bent Cap (Top of the column at the center of the bridge).

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Charles Moffett, Caltrans gave a presentation of possible aesthetic treatments for the bridge project. He would like the treatments to be historically significant and accurate. Mr. Moffett explains in detail and shows slides of all the alternatives that are available. He would like the City Council to review the options that are presented and give their opinion and direction.

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WORK SESSION

Architectural Treatments for Riverside/1-10 Bridge Project

Council Member Robertson asks for an explanation of "Contact Sensitive Solutions".

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District Landscape Architect, Byron Stroud, explains "Contact Sensitive Solutions" is a policy of Caltrans. It results in site specific design and answers and it is more technically a process in which stakeholders establish their priorities and come to an agreement.

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Council Member Robertson discusses graffiti problems that could potentially become a problem with the new walls.

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Council Member Baca, Jr. states he likes the ideas that were presented.

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CLOSED SESSION

1. Conference with Legal Counsel – existing litigation. The City Council will discuss the following pending litigation pursuant to Government Code Section 54956.9(a):

- (a) City of Rialto v. United States Department of Defense, et. al.
(United States District Court Case No. EDCV 04-00079)
- (b) Burt, et. al. v. City of Rialto, et. al.
(San Bernardino Superior Court Case No. SCVSS125298)
- (c) Robert D. Cross v. City of Rialto, et. al.
(MON 0325064)

2. Conference with labor negotiator regarding the following recognized employee organizations pursuant to Government Code Section 54957.6:

Agency negotiator: Bradley Neufeld
Employee Organization: Rialto Police Benefit Assoc.

3. Conference with Real Property Negotiator. The Redevelopment Agency will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:

(A) Subject: Price and Terms
Location: Rialto Municipal Airport
Owner: Redevelopment Agency of the City of Rialto
Negotiators: Robb R. Steel (City/Agency)
County of San Bernardino

CLOSED SESSION

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Motion by Council Member Baca, Jr., second by Council Member Ed Scott and carried by a unanimous vote to go into Closed Session.

City Council went into Closed Session at 4:45 p.m. and returned at 6:05 p.m.

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CALL TO ORDER

Mayor Vargas called the meeting to order at 6:05 p.m.

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The roll was called and the following were present: Mayor Vargas, Mayor Pro Tem Hanson, Council Members Baca Jr., Robertson and Scott. Also present were City Administrator Garcia, Interim City Attorney Tilford and City Clerk McGee.

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Pledge of Allegiance and Invocation

Mayor Pro Tem Hanson led the pledge of allegiance and Father Lenard Krzywda of the Blessed John 23rd XXIII Church gave the Invocation.

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CITY ATTORNEY'S REPORT ON CLOSED SESSION

Interim City Attorney Tilford stated that the City Council conferred with its attorney regarding Item 1 (b) Conference with Legal Counsel, the City Council authorized a rejection of the settlement offer and to make a counter-offer. Regarding Item 1 (c), the City Council authorized its Worker's Compensation attorney to enter into two settlement agreements. One for \$29,000 and the other for \$5,600 and continuing medical obligations. No other action was taken.

Interim City Attorney Tilford stated that the City Council will convene back into Closed Session to discuss the remaining items listed on the Agenda.

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PRESENTATIONS AND PROCLAMATIONS

Sandra Courtney, Rialto Community Players President gave an update on the theatre and thanked everyone for their support.

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Battalion Chief Frank Bekker gave a presentation regarding the new Volunteer Program at the Fire Department.

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Mayor Pro Tem Hanson and Council Member Robertson support the new program.

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PRESENTATIONS AND PROCLAMATIONS

Sean Hardge, Director of the New Dawn Transition Housing Program explained that the Housing Program provides furnished housing for young adults in San Bernardino County. The group also provides educational and employment assistance training.

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Jeanne Smith, Center for Healing Childhood Trauma gave special thanks to the City of Rialto for the Christmas Party.

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Bob Watson, Code Enforcement Supervisor gave the monthly Code Enforcement Update.

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CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

1. Waive reading in full, all ordinances considered at this meeting.

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B. APPROVAL OF WARRANT RESOLUTIONS

1. Resolution No. 31 (2/15/08)
2. Resolution No. 32 (2/22/08)

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C. APPROVAL OF MINUTES

1. Regular RDA/City Council Meeting – June 5, 2007
2. Special City Council Meeting – June 12, 2007

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D. MISCELLANEOUS

1. Request City Council to adopt **Resolution No. 5561** accepting a Grant of Easement and Dedication of Right of Way on the Southeast Corner of Baseline Road and along the west side of Cactus Avenue between Baseline Road and Etiwanda Avenue.
2. Request City Council to adopt **Resolution No. 5562** approving appointment of Susan M. Trager as Special Counsel for water and perchlorate matters.
3. Request City Council to award a Professional Services Agreement to Ian Davidson Landscape Architecture, Inc., for the replacement of Irrigation System Project at Rialto Cemetery and Civic Center in the amount of \$34,960.

CONSENT CALENDAR

D. MISCELLANEOUS

4. Request City Council to adopt **Resolution No. 5563** for the 2008 Weed Abatement Program and set a public hearing for the 2008 Weed Abatement Program for the **April 15, 2008** City Council Meeting.
5. Request City Council to authorize an increase in Purchase order for Cal West Consultant of \$49,705 and approve Notice of Completion for Cactus Channel Wall reconstruction, Project No. 060212-00.
6. Request City Council to approve Order to Suspend Document Destruction Activities.
7. Request the Redevelopment Agency to adopt **RDA Resolution No. 619** approving an Easement and Access Agreement with the County of San Bernardino for the installation of Groundwater Monitoring and Extraction Wells located on the Rialto Municipal Airport Property.

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Motion by Council Member Robertson, second by Council Member Scott and carried by unanimous vote to approve the Consent Calendar.

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ORAL COMMUNICATIONS

Rebekah Lopez spoke about how she felt about Congressman Baca and is in support of Joanne Gilbert.

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Dino Esquivel stated his concern about funding for Rialto School District.

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Amos Young Jr. of Assemblymember Carter's Office, gave an update on District Events that the Assemblymember will be hosting in the City of Rialto.

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Interim City Attorney Tilford indicated that City Council will go into Closed Session to discuss Item 1(a).

Motion by Council Member Robertson, second by Council Member Ed Scott and carried by unanimous vote to go into Closed Session at 6:05 p.m.

City Council returned from Closed Session at 8:00 p.m.

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**CITY ATTORNEY'S REPORT ON
CLOSED SESSION**

He stated that the Council discussed the pending litigation Item 1(a) and the perchlorate sub-committee proceeded to request water orders from the United States Environmental Protection Agency.

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Council Member Scott left the dais at 8:00 p.m.

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NEW BUSINESS

**TAB 1 – RHA Resolution No. 0014-08
– approval of relocation plan for
Senior Housing Project**

Robb Steel, Redevelopment/Economic Development Director, explains this item is a request to adopt a Relocation Plan for the KDF Communities Mixed-Use Affordable Senior Housing Project. He states that two occupants were relocated and there is one business that still remains. He stated the total financial impact of the relocation is estimated to be \$66,000.00.

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Council Member Robertson asked if there has been any contact with the owner of 144 S. Olive Ave.

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Robb Steel indicated that yes there has been frequent contact with the owner by John Dutrey.

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Motion by Council Member Robertson, second by Mayor Pro Tem Hanson and carried by a 4-0 vote to adopt **Resolution No. 0014-08** approving the relocation plan for the KDF Communities Mixed Use Affordable Senior Housing Project for \$66,000. Council Member Ed Scott abstained from voting.

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Council Member Scott returned at 8:05 p.m.

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**TAB 2 – Resolution No. 5564 – Award
of Funds from FEMA Fire Act Grant**

Frank Bekker, Battalion Chief stated that the Department of Homeland Security offered a grant to the fire department. The Fire Department was awarded a grant of \$160,000 which represents 80% of the total project. The grant is to be used to replace self-contained breathing apparatus and to purchase an emergency station generator for Station 202.

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Motion by Council Member Ed Scott, second by Mayor Pro Tem Hanson and carried by unanimous vote to adopt **Resolution No. 5564** to accept the Award of Funds from FEMA Fire Act Grant in the amount of \$160,000.

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NEW BUSINESS

TAB 3 – Request to authorize purchase of Hybrid passenger vehicles

City Administrator Henry Garcia indicated this item was pulled from the agenda for modification.

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UNFINISHED BUSINESS **(Second Reading)**

Tab 4 – Request to adopt Ordinance No. 1418

Mayor Grace Vargas read the Ordinance:

ORDINANCE NO. 1418

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA APPROVING RIALTO AIRPORT SPECIFIC PLAN AMENDMENT NO. 5 AND ADOPTION OF A NEGATIVE DECLARATION.

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Motion by Council Member Ed Scott, second by Mayor Pro Tem Hanson and carried by unanimous vote to adopt **Ordinance No. 1418**. The vote was: AYES: Mayor Vargas, Mayor Pro Tem Hanson, Council Member Scott, Baca Jr. and Robertson. NOES: none, ABSTAIN: none.

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REPORTS

Mayor Pro Tem Hanson stated she has been in Washington, D.C. last week working on various issues regarding the perchlorate. She indicates that they also met regarding grants that Congressman Baca applied for.

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Council Member Baca Jr. stated he attended one of the meetings in Washington, D.C. regarding the perchlorate issue. He also stated he had the opportunity to attend Read Across America and read to the second grade class at Morris and Garcia Elementary. He congratulates the Rialto High School staff for their efforts at the event.

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Council Member Ed Scott stated he also attended the Washington, D.C. meetings. He is looking forward to the JPA being established in the City of Colton.

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Council Member Robertson attended a city meeting called the Healthy Rialto Planning Workshop meeting.

Council Member Robertson stated that the county is providing resources with consultants to plan Healthy Rialto.

REPORTS

Council Member Robertson indicated that there will be an upcoming Women's Summit on March 8, 2008. Dr. Margaret Bead, Public Health Officer for the County of San Bernardino is an invited panelist.

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City Administrator Report

City Administrator Garcia expressed his appreciation and thanks to the camera crew.

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ADJOURNMENT

Motion by Council Member Baca Jr., second by Mayor Pro Tem Hanson and carried by unanimous vote to adjourn the Meeting in memory of:

Margaret Wright


The City Council adjourned at 8:15 p.m.

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MAYOR GRACE VARGAS

ATTEST:



CITY CLERK BARBARA A. MCGEE, CMC